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Applicant: Chet M. Crump et al
Serial No.: 09/459,522
Confirmation No: 1246
Filed: December 13, 1999

Docket: BA 00117
Group: 3761
Examiner: Darwin P. Erez
Date: April 26, 2005

APR 26 2005

For: Endotracheal Catheter and
Manifold Assembly with Improved
Valve

**Petition to Revive an Unintentionally Abandoned Application
Pursuant to 37 C.F.R. 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.137 (b), Applicants hereby petition the Commissioner to revive the subject patent application which was an unintentionally abandoned. The reply to the outstanding office action dated October 4, 2004 was submitted on December 6, 2004. However, an advisory action dated January 26, 2005 stated that the December amendment was not entered. During preparation of the Request for Continued Examination (RCE) it was noted that the six month deadline ended on April 4, 2005, and not April 26, 2005, three months from the January 26, 2005 advisory action date which was inadvertently docketed within Kimberly-Clark as the response date. An original RCE Transmittal is included herein and requests consideration of the previously submitted December 6, 2004 response. As such, the entire delay between April 4 and April 26, 2005 in filing the required reply was unintentional.

In accordance with 37 C.F.R. 1.17(m), please charge the Petition fee of \$1370.00 to Kimberly Clark Worldwide, Inc. Deposit Account No. 11-0875. This Petition is submitted in duplicate. Please charge any other prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

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01 FC:1454 1370.00 DA

Application No.: 09/459,622

Petition to Revive an Unintentionally Abandoned Application Pursuant to 37 C.F.R. §1.137(b)

The undersigned may be reached at telephone number (770) 587-8621 or fax number (770) 587-7324.

Respectfully submitted,

Chet M. Crump et al.

By:


Scott B. Garrison

Registration No.: 39,198

CERTIFICATE OF MAILING VIA FACSIMILE TRANSMISSION

I, Laura L. Rubino, hereby certify that on Tuesday, April 26, 2005 this document is being transmitted via facsimile to the Commissioner for Patents, United States Patent and Trademark Office, Central Fax No. 703-872-9306.

By:



Laura L. Rubino